

CITY OF VENTURA CITY COUNCIL AGENDA

Mayor Neal Andrews

Cheryl Heitmann, Councilmember
Matt LaVere, Deputy Mayor
Jim Monahan, Councilmember

Erik Nasarenko, Councilmember
Mike Tracy, Councilmember
Christy Weir, Councilmember

Dan Paranick, Interim City Manager
Gregory G. Diaz, City Attorney
Antoinette M. Mann, City Clerk

REGULAR MEETING **MONDAY, JANUARY 8, 2018, 6:00 P.M.** **COUNCIL CHAMBERS, 501 POLI STREET, VENTURA**

The regular meetings of the San Buenaventura (Ventura) City Council also serve as regular meetings of the Successor Agency and Public Facilities Financing Authority when Successor Agency and Public Facilities Financing Authority items are listed on the agenda.

The public has the opportunity to address the City Council on any item appearing on the agenda. Persons wishing to address the City Council are limited to three minutes on any agenda item with a cumulative total of five minutes for all agenda items, except if there are one or more Successor Agency and Public Facilities Financing Authority items on the agenda, members of the public shall have an additional total of three minutes on any agenda item with a cumulative total of five minutes for all agenda items to address all Successor Agency and Public Facilities Financing Authority matters.

At the first regular meeting of the month, City Council has allocated a total of 30 minutes for members of the public to address City Council on items of City business other than scheduled agenda items near the beginning of the agenda and will continue speakers beyond the 30 minutes until the end of the agenda under the heading of "Public Communications". Individuals may not acquire additional time from other speakers during Public Communications but may do so on formal agenda items per City Council Protocols. City Council cannot take action on any items not on the agenda. These items may be referred to staff or scheduled on a future agenda.

Persons wishing to address City Council should complete and submit a green "Speaker Form." If a member of the public wishes to comment on an item, complete a pink "Comment Form." Both forms are on a table inside the meeting room.

Administrative Reports relating to this agenda are available in the City Clerk's Office, 501 Poli Street, Room 204, Ventura, during normal business hours as well as on the City's website – <https://www.cityofventura.ca.gov/AgendaCenter>.

Public Hearing Notices and any materials related to an agenda item submitted to the City Council after distribution of the agenda packet are available for public review at the City Clerk's Office as well as on the City's website – <https://www.cityofventura.ca.gov/1236/9455/City-Council-Public-Hearing-NoticesSuppl>.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at (805) 658-4787 or the California Relay Service at (866) 735-2929. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

ROLL CALL

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

Thomas Fire Update

Pier Into the Future – Check presentation to City of Ventura for future Pier Enhancements

CLOSED SESSION REPORT

CITY COUNCIL COMMUNICATIONS

Per Government Code Section 54954.2(a)(2), the Council Communications section of the agenda provides City Council the opportunity to ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities.

PUBLIC COMMUNICATIONS

CONSENT ITEMS

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon by City Council at one time without discussion unless a Councilmember, the Administration, or a member of the public requests an opportunity to address any given item. Items removed from the Consent Calendar will be discussed at the beginning of the Formal Items. Approval by the City Council of Consent Items means the recommendation of the Administration is approved along with the terms and conditions described in the Administrative Report.

1. [Request for Authorization to Extend Outside Counsel Services with the Law firm of Colantuono, Highsmith & Whatley, PC for the Pending Litigation Matter City of San Buenaventura v. United Water Conservation District](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an extended legal services agreement with the law firm of Colantuono, Highsmith & Whatley, PC in an amount not-to-exceed an additional \$60,000 to continue representation of the City in the litigation matter City of San Buenaventura v. United Water Conservation District.

CONSENT ITEMS (continued)

2. [Request to Extend Legal Services Agreement with the Law Firm of Best Best & Krieger for the purposes of reviewing the City's implementation of its Inclusionary Housing Program](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Authorize the City Attorney to enter into an extended legal services agreement with the law firm of Best Best & Krieger for an additional \$15,000 to include additional planning consulting services, for a total not-to-exceed of \$55,000, to continue reviewing the City's implementation of its Inclusionary Housing Program.

3. [Enterprise Technology Project Management Services](#)

Staff: Gilbert Garcia, Finance and Technology Director

RECOMMENDATION

Authorize the Mayor to execute a Professional Services Agreement with the Park Consulting Group to provide Project Management Services for implementation of three Enterprise Systems starting January 2018 to January 2020 in an amount not-to-exceed \$630,000.

4. [Mound Well 3 – Well Drilling Award of Construction Contract](#)

Staff: Tulson Clifford, Public Works Director

RECOMMENDATION

- a. Approve the award of contract and authorize the Mayor to execute an agreement with the lowest responsive and responsible bidder, Zim Industries, Inc., for the Mound Well 3 – Well Drilling Project, Specification No. 2017-039, in the amount of \$851,304.
- b. Authorize the encumbrance of contingency funds for the project in the amount not to exceed \$85,000 for subject to approval by the Public Works Director during construction.

5. [Ventura County Certified Farmer's Market License Agreement](#)

Staff: Tulson Clifford, Public Works Director

RECOMMENDATION

Approve and authorize the Interim City Manager to enter into a license agreement with the Ventura County Certified Farmer's Market for use of the City public parking lot at the corner of Palm Street and Santa Clara Street, for a period of January 1, 2018 – January 1, 2021, with two extensions (January 1, 2023), at an annual fee of \$5,000.

CONSENT ITEMS (continued)

6. [Consideration of Resolution Re-Confirming the Existence of a Local Emergency](#)

Staff: Gregory G. Diaz, City Attorney

RECOMMENDATION

Adopt a Resolution re-confirming the Existence of a Local Emergency, title as follows:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, RE-CONFIRMING THE CONTINUING EXISTENCE OF A LOCAL EMERGENCY AND A LOCAL PUBLIC HEALTH EMERGENCY”

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA RE-CONFIRMING THE CONTINUING EXISTENCE OF A LOCAL EMERGENCY AND A LOCAL PUBLIC HEALTH EMERGENCY
RESOLUTION NO. 2018-____

7. [Ordinance for Second Reading - Amending Division 2, “Administration,” Part 2, “City Council,” Chapter 2.210, “General Provisions” of the San Buenaventura Municipal Code to Establish a District Based Electoral System, Adopt a Map Describing the Boundaries of Each District, and Identifying the Districts to Hold a District Based Election in 2018 and 2020 to Implement District-Based Elections \(Elections Code § 10010\)](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Waive the second reading in full and adopt an Ordinance, titled:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, AMENDING DIVISION 2, ADMINISTRATION, PART 2, CITY COUNCIL, CHAPTER 2.210, GENERAL PROVISIONS OF THE SAN BUENAVENTURA MUNICIPAL CODE TO ESTABLISH A DISTRICT BASED ELECTORAL SYSTEM, ADOPT A MAP DESCRIBING THE BOUNDARIES OF EACH DISTRICT, AND IDENTIFYING THE DISTRICTS TO HOLD A DISTRICT BASED ELECTION IN 2018 AND 2020 TO IMPLEMENT DISTRICT-BASED ELECTIONS (ELECTIONS CODE § 10010) (Introduced 12/18/17; Vote: 7-Yes; 0-No)
ORDINANCE NO. 2018-____

CONSENT ITEMS (continued)

8. [Minutes](#)

Staff: Antoinette M. Mann, City Clerk

RECOMMENDATION

Approve the minutes of the Special Emergency Meeting of December 8, 2017, to allow for the posting of these minutes for 10 days in compliance with Government Code 54956.5(e)

PUBLIC HEARING ITEM

9. [Appeal of the Design Review Committee denial of Project 7284, a remodel of an existing 2,772-square foot Drive Through Retail Facility including additional landscaping and outdoor dining area on a 0.72-acre property located at 2427 East Thompson Boulevard; zoned General Urban \(T4.5\). Kim Caldwell, Appellant \(APL-5-17-40497\)](#)

Staff: Jeffrey Lambert, Community Development Director

RECOMMENDATION

- a. Conclude continued Public Hearing from December 11, 2017.
- b. Adopt a resolution to deny the appeal without prejudice, sustaining the Design Review Committee's denial of the project, a remodel of the Carl's Jr. located on 2427 East Thompson Boulevard.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA DENYING THE APPELLANT'S APPEAL AND SUSTAINING THE DESIGN REVIEW COMMITTEE'S ACTION DENYING FORMAL DESIGN REVIEW OF A REMODEL OF AN EXISTING DRIVE THROUGH RETAIL FACILITY LOCATED ON 2427 EAST THOMPSON BOULEVARD

RESOLUTION NO. 2018-____

FORMAL ITEM

10. [Thomas Fire Local Debris Removal Program](#)

Staff: Tulson Clifford, Public Works Director

RECOMMENDATION

Adopt an emergency ordinance to establish a local debris removal program for property owners electing not to participate in the California Office of Emergency Services Consolidated Debris Removal Program (Phase II) for the removal of the

FORMAL ITEM (continued)

debris associated with their property where a structure has been destroyed or substantially damaged by the Thomas Fire. It is recommended that the City Council select either:

Option 1 by adopting the Ordinance, title as follows:

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ESTABLISHING LOCAL STANDARDS AND PROCEDURES FOR CLEANUP OF DEBRIS GENERATED BY THE THOMAS FIRE
ORDINANCE NO. 2018-____

or

Option 2 by adopting the Ordinance, title as follows:

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BUENAVENTURA, CALIFORNIA, ESTABLISHING LOCAL STANDARDS AND PROCEDURES FOR CLEANUP OF DEBRIS GENERATED BY THE THOMAS FIRE; ESTABLISHING ENFORCEMENT STANDARDS AND AUTHORIZING THE ABATEMENT OF PUBLIC NUISANCES FOLLOWING THE ISSUANCE OF AN INSPECTION AND ABATEMENT WARRANT
ORDINANCE NO. 2018-____

PUBLIC NOTICES

Items listed under Public Notices are a matter of public record only. These items do not require City Council action.

11. [Recent Decisions of the Planning Commission and Design Review Committee](#)

Planning Commission December 13, 2017 Action: Approved
PROJ-6018 – Case Nos. DRC-3-13-14998; E-9-15-30490; LLA-8-17-41486

Request for Formal Design Review and an Exception for Parking Placement and Open Space Requirements for a 6,789 square foot, 2-story mixed use building consisting of 3-Live-Work units, on an approximately 13,181 square foot (0.30-acre) undeveloped property located at 1571 East Main Street; General Urban (T4.5) zone.

Planning Commission December 13, 2017 Action: Approved
PROJ-10633 – Case No. V-5-16-34493

Request for Variance to exceed the 16 feet 4 inch maximum height limit by 7 feet 2 inches and extend into the rear 21 feet 11 inch setback by 1 foot 3 inches to accommodate a 274 square foot addition to the rear of an existing 2,278 square foot, 2.5 story single-family residence on an approximately 0.16 acre property located at 2335 Hyland Avenue in the Single Family Residential (R-1-7) zone; Hillside Area.

PUBLIC NOTICES (continued)

Design Review Committee December 14, 2017 Action: Approved PROJ-4428 – Case Nos. HRA-3-17-40947; DRC-9-17-42101; MC-9-17-42102

Formal Historic Resources Assessment, Formal Design Review and Minor Change to review a Focused Phase 2 Historical Resources Assessment related to the addition of new windows, door and storefront systems for the adaptive reuse of an existing commercial building previously determined to be eligible for Historic Landmark status located on the Pacific View Mall property at 3350 Telegraph Road; zoned C-1A.

Design Review Committee December 14, 2017 Action: Approved PROJ-11159 – Case No. DRC-12-16-38516

Formal Design Review consisting of an exterior façade paid modification to an existing one-story 2,418 square foot commercial building located on a 10,400-square foot lot located at 3553 Telegraph Road; C-1 zone.

Planning Commission and Design Review Committee December 20, 2017 Action: Approved PROJ-6811 – Case Nos. Z-12-13-19295; PD-12-13-19299; DRC-12-13-19297; EIR-12-13-19301

Request for Zone Change from Commercial Planned Development (CPD) to Mixed Use Development (MXD), a Planned Development Permit, a Formal Design Review and Mitigated Negative Declaration for the construction of a mixed-use development consisting of a 306-unit residential apartment, 5,000 square feet of commercial space and 5,000 square feet of community space on a 8.03 acre parcel located southeast of the intersection of North Bank Drive and Johnson Drive; Commercial Planned Development (CPD) zone.

PUBLIC COMMUNICATIONS

CITY COUNCIL COMMUNICATIONS/REPORTS – REGIONAL BOARDS/ COMMISSIONS/COMMITTEES

Per Governmental Code Section 54954.2(a)(2), the Council Communications section of the agenda provides City Council the opportunity to ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Councilmembers serving on regional boards, commissions, or committees to present a verbal report to the full City Council on the activities of the respective boards, commission, or committees upon which they serve.

CITY MANAGER COMMUNICATIONS

ADJOURNMENT

This agenda was posted on Wednesday, January 3, 2018, at 5:30 p.m. in the City Clerk's Office, on the City Hall Public Notices Board, and on the internet.